

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7061 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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RAJABHAI LILABHAI MARU

Versus

DISTRICT SUPPLY OFFICER

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Appearance:

MR BK OZA for Petitioner

MR. TH SOMPURA ASSTT. GP for Respondent No. 1, 2, 3

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CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 11/09/98

ORAL JUDGEMENT

Rule. Service of rule is waived by Mr. Sompura, learned Assistant Government Pleader for the respondents.

2. Heard.

3. In so far as the impugned orders are concerned, it would clearly appear that by assigning reasons, same have been passed. The last mentioned order of the

revisional authority sets out detailed reasons with regard to the cancellation of the petitioner's licence. Now, if this petition is entertained, it would tantamount to entering into highly disputed questions of facts which have been adjudicated by considering the defence set out by the petitioners by reasoned order. In that view of the matter, in so far as this petition is concerned, no indulgence can be shown. However, it has been submitted on behalf of the petitioners that the petitioner's business has been stopped. He, therefore, submits that the petitioner might prefer a separate application for a fresh licence. Mr.Sompura submits that as and when such application is preferred, same will be considered sympathetically and in accordance with law. In that view of the matter, while disposing of this petition, it is hereby directed that as and when the petitioner moves fresh application for issuance of fresh licence, same shall be considered by the respondent authorities sympathetically and in accordance with law. Subject to these directions, this petition is disposed of. Rule is discharged with no order as to cost.

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Vyas